

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
THE CITY AND COUNTY OF DENVER)
)
Request For Extension Of Mandatory) WT Docket No. 99-87
Narrowbanding Deadline)
)
Implementation of Sections 309(j) and 337 of the)
Communications Act of 1934 as Amended)

To: The Commission

THE CITY AND COUNTY OF DENVER REQUEST FOR EXTENSION

The City and County of Denver ("Denver"), through counsel and pursuant to Section 1.925 of the Commission's Rules, 47 C.F.R. §1.925, and the Commission's Public Notice of July 13, 2011,¹ hereby submits its request for a limited extension of the Commission's January 1, 2013 deadline for all VHF and UHF Part 90 operations to migrate to narrowband (maximum 12.5 kHz bandwidth or equivalent efficiency) operations.² In support thereof, the following is shown:

¹ Wireless Telecommunications Bureau, Public Safety and Homeland Security Bureau, And Office of Engineering and Technology Provide Reminder of January 1, 2013 Deadline for Transition to Narrowband Operations in the 150-174 MHz and 421-512 MHz Bands and Guidance for Submission of Requests for Waiver and Other Matters, *Public Notice*, DA 11-1189, released July 13, 2011 ("*Narrowbanding Extension Public Notice*").

² See, Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended, *Second Report and Order and Second Further Notice of Proposed Rulemaking*, WT Docket No. 99-87, RM-9332, 18 FCC Rcd 3034 (2003) ("*Second R&O*"); Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended, *Third Memorandum Opinion and Order, Third Further Notice of Proposed Rule Making and Order*, WT Docket No. 99-87, RM-9332, 19 RCC Rcd 2-545 (2004) ("*Third MO&O*"); Implementation of Sections 309(j) and 337 of the Communications Act of 1934 as Amended, *Order*, WT Docket No. 99-87, RM-9332, 25 FCC Rcd 8861 (2010) ("*Narrowbanding Waiver Order*"); see also 47 C.F.R. §§90.203(j), 90.209(b).

I. BACKGROUND

Denver operates a UHF paging system for the City under FCC Call Sign KVVX885. The system operates on one UHF (453.675 MHz) public safety frequency from two simulcast transmitter sites.³ The system sends digital signals to 650 pagers utilized by Denver Police, Fire, EMS, and Public Works agencies. Most importantly, the system is used to control seventy-seven (77) Outdoor Warning Sirens located throughout the City, including nine (9) units at Denver International Airport.

The Outdoor Warning Siren system is primarily used to notify the public when a tornado has been sighted, or when a Tornado Warning has been issued for Denver County by the National Weather Service. The sirens can also be used to alert the public of other emergencies requiring immediate sheltering. Despite the prevalence of other more modern notification measures, the siren system remains a critical means of immediately notifying large numbers of people who are out of doors and not watching the news. In recent years, Denver averages 5-6 siren activations per year, primarily during April through September. Additionally, the system is tested once a month.

The Denver system must be narrowbanded, consistent with the Commission's various narrowbanding rules, although Denver has already applied and been granted a narrowbanding emission designator. In this regard, Denver is migrating the paging users to another system, and moving the Outdoor Warning Siren to a narrowband VHF system. While a vendor has been selected for this process, complications in the City's purchasing and financing process will delay completion of the project until approximately June 30, 2013. For this reason, an extension is necessary.

³ A second frequency (and separate site) on the license is 453.1750 MHz. Denver is not asking for an extension with regard to this frequency.

II. DENVER'S EXTENSION REQUEST

The Commission's *Narrowbanding Extension Public Notice* contains a list of questions which the Commission requests that applicants seeking extension provide information on in their extension requests. The following represents Denver's responses to those questions and issues.

A. Steps Already Taken To Complete The Narrowband Transition

Denver began its project in 2010. Denver has executed a contract with its vendor for the project. All paging customers will have been moved off of the system as of 12-18-2012.

B. System Size And Complexity

As discussed above, the system controls 77 Outdoor Warning Sirens. Thus, the system is not a typical land mobile system, in that each siren must be individually visited and modified.

C. Whether System Equipment Must Be Replaced Or Upgraded

The Denver radio system is being entirely replaced.

D. Planned System Upgrades During Narrowbanding

As part of its narrowband (and change of frequency band), Denver is replacing 56 existing sirens with newer models, upgrading the remaining 21 sirens, and replacing the current activation system with a DC Solar powered system operating in the VHF spectrum. Specific system coverage maps have been provided to allow the siren locations to be moved to key areas throughout Denver County to provide coverage to all residents.

E. Narrowbanding Scheduling Dependency On Neighboring Licensees

To Denver's knowledge, its narrowbanding effort is not impacted by neighboring systems, as Denver does not have interoperability or interdependencies with other radio systems.

F. Plans To Minimize Impact On Co-Channel And Adjacent Channel Licensees

Post-2012, the system will only be used for the Outdoor Warning Sirens. These sirens are only activated during an actual emergency (such as a tornado warning) or during a once-a-month test. Therefore, the impact on other licensees by a late completion of narrowbanding is extremely minimal. Further, there are no adjacent channel licensees within thirty (30) miles of any of Denver's sites. Therefore, it is highly unlikely that any co-channel or adjacent channel user will even notice that narrowbanding of the system has not been completed.⁴

G. Licensee Plans To Migrate To Non-VHF/UHF Band Systems

At this time, Denver does not plan to vacate any of its VHF/UHF spectrum by migrating to other frequency bands.

⁴ Co-channel licensees will hear the same transmissions that they've always heard on the channel, although fewer in number because of the completed migration of paging users.

III. CONCLUSION

A grant of an extension of time to complete narrowbanding for Denver would not frustrate the Commission's Rules, as Denver will complete narrowbanding of its system (actually, moving to VHF), by mid-2013. For these reason, failure to extend the narrowbanding deadline for the impacted stations would be contrary to the public interest, and would not serve any public purpose. WHEREFORE, the City and County of Denver, Colorado respectfully requests that the FCC act expeditiously to grant Denver a waiver of the Commission's Rules, and extend the narrowbanding deadline for impacted Denver's station by six months.

Respectfully submitted,

THE CITY AND COUNTY OF DENVER

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